

U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION/SITUATION REPORT  
Treoil Industries Biorefinery - Removal Polrep  
Initial Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region X

**Subject:** POLREP #1  
Initial  
Treoil Industries Biorefinery  
  
Ferndale, WA  
Latitude: 48.8789186 Longitude: -122.7107528

**To:** Jeffrey Fowlow, EPA Region 10 (POLREP List)  
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Jesse Stark, NOAA

**From:** Brooks Stanfield, On Scene Coordinator

**Date:** 3/14/2017

**Reporting Period:** Site access and initial investigation

## 1. Introduction

### 1.1 Background

<b>Site Number:</b>	10PZ	<b>Contract Number:</b>	
<b>D.O. Number:</b>		<b>Action Memo Date:</b>	
<b>Response Authority:</b>	OPA	<b>Response Type:</b>	Emergency
<b>Response Lead:</b>	EPA	<b>Incident Category:</b>	Removal Action
<b>NPL Status:</b>	Non NPL	<b>Operable Unit:</b>	
<b>Mobilization Date:</b>	3/13/2017	<b>Start Date:</b>	3/13/2017
<b>Demob Date:</b>		<b>Completion Date:</b>	
<b>CERCLIS ID:</b>		<b>RCRIS ID:</b>	
<b>ERNS No.:</b>		<b>State Notification:</b>	
<b>FPN#:</b>	E17004	<b>Reimbursable Account #:</b>	

#### 1.1.1 Incident Category

Emergency response. CERCLA and OPA concerns.

#### 1.1.2 Site Description

Treoil Industries is an approximately 34-acre industrial property. The site is currently reported as not in operation however historically has been used for tall oil processing, as a biodiesel refinery, and other small scale miscellaneous industrial operations.

##### 1.1.2.1 Location

4242 Aldergrove Road - Ferndale (Whatcom County), Washington

The site is approximately 1.8 miles from the shoreline of the Strait of Georgia, a navigable water of the United States. The Lummi Indian Reservation - which also borders the Strait extensively - is 4 miles south of the site..

##### 1.1.2.2 Description of Threat

On March 6th, EPA received initial reports from a site visit conducted by Washington Department of Ecology and Whatcom County Health Department, which outlined a deterioration of safety and environmental conditions on the property including but not limited to: hazardous substances that had released from containers or threatened to release, improper storage and labeling of chemical containers, oil being stored within failing secondary containment or no containment at all, and a complete lack of site security.

##### 1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

The preliminary assessment confirmed the presence of numerous CERCLA hazardous substances and unknown chemicals in several hundred containers ranging up to 275-gallon totes. The team observed evidence of releases of these chemicals from containers and many threatening to release as well improper storage and labeling of containers. Containers were found to be structurally unsound and stored in precarious situations.

An OPA team including one EPA Spill Prevention Control & Countermeasure (SPCC) inspector, found several thousand gallons of oil products in totes, drums, and abandoned leaking Aboveground Storage Tanks (ASTs) all with no secondary containment and noted this as the highest priority concern that is currently visible. The inspector also observed number larger ASTs (as large as 300,000 gallons) within secondary containment that - in one instance - was more than half full of rain water. Water staining on the inside of containment walls and tanks indicated that this may be a normal condition. Hoses that had been

observed by inspectors a week prior to be actively discharging rainwater from secondary containment to the ground had been removed. EPA received information from the property owner that these tanks could contain 100,000 gallons of tall oil or more, but additional assessment will be needed to verify the exact contents, volume, and condition of the oil to determine the threat. The OPA team also deployed a crew of START technicians and a State water program official to walk and visually confirmed at least three pathways off the site to the ditch that leads to navigable waters. This is the same ditch that carried spilled oil from this site in 1991 approximately 1 mile (and more than halfway) along the documented pathway to the Georgia Strait.

Technicians also observed material that appeared to be friable asbestos pipe wrap which was exposed with no protection from outdoor weather and was in a severely deteriorated condition.

Finally, it was observed that the lack of any site security and site control made all the above conditions even more dire. The site has a chain link fenced front gate but can be accessed directly from other parts of the property. All warehouse buildings are unlocked and there are no locks on valves or other security features of the tank farm. There are no active operations on the site and no one is currently monitoring the site for illegal or otherwise unauthorized activities. There is no monitoring of the condition, safety, or containment of chemicals or oil.

## 2. Current Activities

### 2.1 Operations Section

#### 2.1.1 Narrative

EPA personnel and its environmental response contractors have conducted an initial Removal Site Evaluation on 3/13/17 of the site including hazardous substance concerns and threats of discharges oil to navigable waters. This assessment was conducted along with Whatcom County Health Department, Washington State Department of Ecology, and a representative of the property owner. Threats to human health and the environment were identified and prioritized, while many unknowns were documented as needing additional assessment.

On 3/14/17 response contractors began staging equipment and establishing safe spaces to work. Numerous empty large 275-gallon totes were consolidated in one area, while totes containing liquid were set up for analysis using the FirstStep method of Hazard Categorization (FirstStep). Hazardous chemicals identified in the large east-west warehouse (Warehouse A) were prioritized for stabilization and FirstStep categorization first. Some initial categorization activities began today.

#### 2.1.2 Response Actions to Date

Initial Removal Site Evaluation, site preparation, initial stabilization of chemicals posing threat of release, FirstStep categorization of unknown chemicals.

#### 2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

One PRP has been identified to date as the Campbell Land Corporation, which holds title to the property and has been involved in numerous biorefining operations on the site dating back several decades.

There have been several interactions with enforcement agencies involving this corporation dating back to at least the early 1990s.

#### 2.1.4 Progress Metrics

Containers inventoried 166

FirstStep samples contacted 19

FirstStep Analyses 15

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>

### 2.2 Planning Section

#### 2.2.1 Anticipated Activities

##### 2.2.1.1 Planned Response Activities

Anticipated activities in the next two days include continued stabilization of chemical containers that pose a threat of release. FirstStep hazard categorization of stabilized unlabeled containers. Bulk sampling of material suspected of containing asbestos. Staging of containers of oil outside of secondary containment. Initial assessment of large ASTs (inside and outside of secondary containment) to determine tactics for collecting samples and potentially removing oil, if deemed needed.

##### 2.2.1.2 Next Steps

Continued coordination with State and local partner agencies on conducting on site response activities and working to safely recycle hazardous materials on site.

Notification of affected tribes and other resource trustees and increased communication with neighboring property owners about cleanup activities underway.

#### 2.2.2 Issues

Due to a lack of site security and the continued presence of unsecure hazardous materials and oil access to the site has been restricted by a guard service when workers are not on site.

The site is situated in a designated wetland area and thus has standing water, which has made work conditions muddier and slower in the short term.

Crews continue to discover numerous leaking containers with unknown contents. Worker safety and spill prevention continue to be an ongoing concern as warehouses are cleared.

## **2.3 Logistics Section**

Response contractors have dedicated several hours to sorting totes and other large containers in order to clear covered work space for FirstStep and disposal activities.

Due to the weather and need for adequate command post space for administrative work, a small temporary trailer will be delivered on-site tomorrow.

A snorkel lift arrived on site on 3/15/17 to assist tank specialists safely assess large ASTs to determine the best tactics for sampling and potentially oil removal.

## **2.4 Finance Section**

### **2.4.1 Narrative**

Responding to CERCLA and OPA threats at a single site has required arranging for funding from two separate funding sources, developing tracking tools, and coordinating with contractor response managers to track when workers are working to address CERCLA vs OPA hazards.

As of 3/14/17:

CERCLA cost ceiling is \$88,300.

OPA cost ceiling is \$350,000

These are subject to change as more of the unknown conditions are assessed to a greater degree.

## **2.5 Other Command Staff**

### **2.5.1 Safety Officer**

Valeriy Bizyayev - START

### **2.5.2 Liaison Officer**

TBD

### **2.5.3 Information Officer**

Bill Dunbar - EPA

## **3. Participating Entities**

### **3.1 Unified Command**

### **3.2 Cooperating Agencies**

Washington Department of Ecology

Whatcom County Health Department

## **4. Personnel On Site**

Property Owner Representative

Whatcom County Health Department - 1

Washington Department of Ecology Spill Response - 3

Washington Department of Ecology Hazardous Waste Program - 1

Washington Department of Ecology Water Quality Program - 1

EPA OSCs - 2

EPA SPCC Inspector -1

EPA ERRS Contractors - 6

EPA START Contractors - 5

## **5. Definition of Terms**

CERCLA - Comprehensive Environmental Response Compensation and Liability Act

OPA - Oil Pollution Act

FirstStep- FirstStep method of hazard class categorization of unknown chemicals for purposes of identification, storage, transportation, and disposal.

## **6. Additional sources of information**

### **6.1 Internet location of additional information/report**

### **6.2 Reporting Schedule**

The next PolRep is anticipated by Saturday 3/18/17.

## **7. Situational Reference Materials**

Maps and site diagrams forthcoming in future reports.